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\* Pro hac vice applications pending

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION**

PAUL RUMMELL and BENJAMIN WEST;  
LISA CHICKADONZ and CHRISTINE TANNER;  
BASIC RIGHTS EDUCATION FUND,

*Plaintiffs,*

v.

JOHN KITZHABER, in his official  
capacity as Governor of Oregon; ELLEN  
ROSENBLUM, in her official capacity as Attorney  
General of Oregon; JENNIFER WOODWARD, in  
her official capacity as State Registrar, Center for  
Health Statistics, Oregon Health Authority, and  
RANDY WALDRUFF, in his official capacity as  
Multnomah County Assessor,

*Defendants.*

No. 6:13-cv-02256-TC

**MOTION TO CONSOLIDATE**

Pursuant to Fed. R. Civ. P. 42

By Plaintiffs Paul Rummell,  
Benjamin West, Lisa Chickadonz,  
Christine Tanner, and  
Basic Rights Education Fund

DEANNA L. GEIGER and JANINE M.  
NELSON; ROBERT DUEHMIG and  
WILLIAM GRIESAR,

No. 6:13-cv-01834-MC

*Plaintiffs,*

v.

JOHN KITZHABER, in his official  
capacity as Governor of Oregon; ELLEN  
ROSENBLUM, in her official capacity as Attorney  
General of Oregon; JENNIFER WOODWARD, in  
her official capacity as State Registrar, Center for  
Health Statistics, Oregon Health Authority, and  
RANDY WALDRUFF, in his official capacity as  
Multnomah County Assessor,

*Defendants.*

### CONFERRAL CERTIFICATION

Jennifer Middleton, counsel for plaintiffs Paul Rummell, Benjamin West, Lisa Chickadonz, Christine Tanner, and Basic Rights Education Fund, attempted to confer in good faith with Lea Ann Easton and Lake Perrigues, counsel for plaintiffs Deanna L. Geiger, Janine M. Nelson, Robert Duehmig, and William Griesar; Sheila Potter, counsel for John Kitzhaber, Ellen Rosenblum, and Jennifer Woodward; and Kate von Ter Stegge, counsel for Randy Wuldruff. Mr. Perrigues, Ms. Potter, and Ms. von Ter Stegge all declined consent to the motion before having had an opportunity to review and consider the complaint filed in *Rummel et al. v. Kitzhaber et al.*, No. 6:13-cv-02256-TC, and briefing on this motion.

### MOTION

Plaintiffs Paul Rummell, Benjamin West, Lisa Chickadonz, Christine Tanner, and Basic Rights Education Fund respectfully move the Court, pursuant to Federal Rule of Civil Procedure

42(a)(2), to consolidate the action captioned *Rummel et al. v. Kitzhaber et al.*, No. 6:13-cv-02256-TC, with the action captioned *Geiger et al. v. Kitzhaber et al.*, No. 6:13-cv-01834-MC.

DATED: December 20, 2013

s/ Thomas R. Johnson

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